

IT IS ORDERED as set forth below:

Date: July 29, 2020



Wendy L. Hagenau

Wendy L. Hagenau
U.S. Bankruptcy Court Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:	:	CASE NO. 15-53700-WLH
	:	
BRENDA K. ROBERTSON,	:	CHAPTER 7
	:	
Debtor.	:	
	:	

**CONSENT ORDER APPROVING FIRST INTERIM APPLICATIONS FOR
ALLOWANCE AND PAYMENT OF COMPENSATION AND REIMBURSEMENT
OF EXPENSES BY TRUSTEE AND PROFESSIONALS EMPLOYED BY TRUSTEE**

On June 16, 2020, S. Gregory Hays, as Chapter 7 Trustee (“**Trustee**”) for the bankruptcy estate (the “**Bankruptcy Estate**”) of Brenda K. Robertson, and the following professionals of Trustee (collectively with Trustee, the “**Applicants**”) filed their first interim Chapter 7 fee applications (collectively, the “**First Interim Applications**”) for allowance of interim compensation and reimbursement of expenses for services rendered in the above case:

<i>Applicant</i>	<i>Doc. No.</i>	<i>Fees Requested for Allowance</i>	<i>Fees Requested to be Paid</i>	<i>Expenses Requested to be Paid</i>	<i>Total Requested to be Paid</i>
S. Gregory Hays, Chapter 7 Trustee	#377	\$33,822.78	\$33,822.78	\$172.78	\$33,995.56
Hays Financial Consulting, LLC, Accountants	#378	\$34,415.00	\$34,415.00	\$305.72	\$34,720.72
Arnall Golden Gregory LLP, Attorneys	#376	\$253,749.00	\$180,000.00	\$2,657.65	\$182,657.65

On June 17, 2020, counsel for Trustee filed a notice of hearing [Doc. No. 380] (the “**Notice**”) setting the First Interim Applications for hearing on July 23, 2020 (the “**Hearing**”).

Counsel for Trustee asserts that the Notice was served on all requisite creditors and parties in interest in this case [Doc. No. 381].

On July 21, 2020, BlueAsh Group, LLC (“**BlueAsh**”), a creditor of the Bankruptcy Estate, filed an objection [Doc. No. 382] (the “**Objection**”) to the interim fee application of Arnall Golden Gregory LLP [Doc. No. 376].

Trustee; counsel for the Applicants, including Trustee; counsel for BlueAsh; and counsel for the United States Trustee appeared at the Hearing. At the Hearing, counsel for the Applicants announced that the United States Trustee and Arnall Golden Gregory LLP had reached an agreement that the fees requested by Arnall Golden Gregory LLP would only be allowed in the amount of \$243,749.00 (or \$10,000.00 less than amount set forth in its interim fee application).

Following comments by counsel for the Applicants and counsel for BlueAsh, BlueAsh made a proposal (the “**Proposed Agreement**”) whereby the fees and expenses of Trustee would be allowed and paid in the amount of \$33,855.68;¹ the fees and expenses of Hays Financial Consulting, LLC would be allowed and paid in the amount of \$34,720.72; the fees and expenses

¹ This amount was reduced to reflect a slightly lower statutory trustee commission resulting from Trustee’s not paying the requested expenses of Arnall Golden Gregory LLP in the amount of \$2,657.65.

of Arnall Golden Gregory LLP would be allowed and paid in the amount of \$150,000.00; and Trustee would make an interim distribution to unsecured creditors in the amount of \$76,524.35.²

On July 23, 2020, after the Hearing, Trustee and BlueAsh filed a status report [Doc. No. 383], showing that Trustee and BlueAsh had agreed to the terms set forth in the Proposed Agreement (the “**Agreement**”). The other Applicants also agree to the terms of the Agreement.

The Court having considered the Fee Applications, the Objection, and the Agreement, for all those reasons set forth on the record at the Hearing, and for good cause shown, it is hereby

ORDERED that the First Interim Applications and the Agreement are **APPROVED** and the Objection is **SUSTAINED**, as specifically set forth herein. It is further

ORDERED that the fees and expenses of the Applicants are allowed as interim compensation and reimbursement of expenses, as follows:

<i>Applicant</i>	<i>Docket</i>	<i>Fees</i>	<i>Expenses</i>	<i>Total</i>
S. Gregory Hays, Chapter 7 Trustee	#377	\$33,682.90	\$172.78	\$33,855.68
Hays Financial Consulting, LLC, Accountants	#378	\$34,415.00	\$305.72	\$34,720.72
Arnall Golden Gregory LLP, Attorneys	#376	\$150,000.00	\$0.00	\$150,000.00

It is further

ORDERED that this order is entered without prejudice to Arnall Golden Gregory LLP seeking allowance and payment of the remaining fees requested by Arnall Golden Gregory LLP in its interim fee application [Doc. No. 376], less the \$10,000.00 reduction that it previously agreed to with the United States Trustee and without prejudice as to BlueAsh continuing to pursue its objection to the remainder of said fees. It is further

² In effect, BlueAsh proposed shifting \$30,000.00 of the fees that Arnall Golden Gregory LLP had requested to be paid to allowed unsecured creditors, increasing the amount that Trustee had proposed to pay to holders of allowed, non-priority, general unsecured claims in his *Motion for Authority to Make Interim Distribution* [Doc. No. 375] by that same \$30,000.00.

ORDERED that Trustee is authorized and directed to pay to the respective Applicants the sums allowed under this Order.

[END OF DOCUMENT]

Order prepared and consented to by:

ARNALL GOLDEN GREGORY LLP
Attorneys for Trustee

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Order consented to by:

ROGERS LAW OFFICES
Attorneys for BlueAsh

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Order reviewed by:

NANCY J. GARGULA
UNITED STATES TRUSTEE, REGION 21

By: /s/ Shawna Staton (with express permission by Michael J. Bargar)
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Identification of parties to be served:

Office of United States Trustee, Suite 362, 75 Ted Turner Drive, SW, Atlanta, Georgia 30303

S. Gregory Hays, Hays Financial Consulting, LLC, Suite 555, 2964 Peachtree Road NW, Atlanta, GA 30305-2153

Katherine J. Hill, Hicks Hill, LLC, 305 Lawrence Street, Ste 210, Marietta, GA 30060

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